

SCANNED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

EX-038

Lance Thomas Sandifer

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JUN 16 2014

Ashley Sparks, et al.

U. S. DISTRICT COURT
MID. DIST. TENN.

This opposition
and Plaintiff's
Case # 1:13-0138 memorandum
(D15058) were received
after the Court's Order

granting the supervisory
defendants' motion

Opposition To Motion To Dismiss (D15051). These

papers are deemed motions to
reconsider because Defendants

The grievance allegations are
insufficient to support

comes now the plaintiff, Lance Thomas Sandifer, in opposition to the defendants,
Sean Brantley, Ben Killingsworth and Arvil Chapman's motion to dismiss filed through
counsel. The defendants claim they, as supervisors, cannot be held liable for their

ratification of officer Sparks action because defendants shall not
respondent superior theory.

is an insufficient basis for liability under § 1983. They also say I attempt
to allege a constitutional violation as to my grievances. I do not. I only

mention my grievances because that's the way I went about seeking
protection from officer Sparks, and the grievance are my proof that defendants

Sean Brantley, Ben Killingsworth, and Arvil Chapman show deliberate

indifference to my plight. Due to their ratification of the violations, and

their deliberate indifference, the aforementioned defendants are entitled

to not dismissal but persecution.

In support of this motion I, the plaintiff, rely on the ~~extensive~~
contemporaneously filed memorandum of law, a declaration, and a grievance.

Respectfully submitted,

L. Sandifer

Lance Sandifer, plaintiff

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